**“Appendix 4” to Section 4.15 Assessment Report - DA/425/2023**

**DRAFT CONDITIONS OF CONSENT**

Upon the signature of the applicable delegate, the conditions in this Appendix will form the conditions of development consent.

|  |  |
| --- | --- |
| **Development Consent No.:** | **DA/425/2023** |
| **Property Address:** | **3 Burroway Road, WENTWORTH POINT NSW 2127**  |
| **Legal Description:** | **Lot 201 DP 1216628** |

**PART A – GENERAL CONDITIONS**

1. Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressively require otherwise:

Architectural Drawings prepared by Group GSA **(Project No. CD2103)**

| **Drawing No.** | **Issue** | **Plan Title** | **Dated** |
| --- | --- | --- | --- |
| DA1103 | F | Demolition Plan | 10.10.2023 |
| DA1104 | F | Proposed Site Plan | 10.10.2023 |
| DA1106 | F | Part Site Plan | 10.10.2023 |
| DA2008 | F | Block D Ground Floor Plan | 10.10.2023 |
| DA2009 | E | Block D First Floor Plan | 10.10.2023 |
| DA2010 | E | Block D Second Floor Plan | 10.10.2023 |
| DA2011 | E | Block D Third Floor Plan | 10.10.2023 |
| DA2012 | F | Roof Plan | 10.10.2023 |
| DA2601 | F | External Finishes | 10.10.2023 |
| DA3001 | F | Building Elevations Sheet 1 | 10.10.2023 |
| DA3002 | F | Building Elevations Sheet 2 | 10.10.2023 |
| DA3003 | F | Streetscape Elevation | 10.10.2023 |
| DA3101 | F | Building Sections Sheet 1 | 10.10.2023 |
| DA3102 | F | Building Sections Sheet 2 | 10.10.2023 |
| DA3201 | F | Block D Perspective View 01 | 10.10.2023 |
| DA3202 | F | Block D Perspective View 02 | 10.10.2023 |
| DA3203 | F | Block D Perspective View 03 | 10.10.2023 |
| DA4001 | D | Library Demolition Plans Sheet 1 | 05.06.2023 |
| DA4002 | D | Library Demolition Plan Sheet 2 | 05.06.2023 |
| DA4003 | D | Library Refurbishment Plans Sheet 1 | 05.06.2023 |
| DA4004 | D | Library Refurbishment Plans Sheet 2 | 05.06.2023 |
| L-1000 | C | Landscape Site Plan | 02.10.2023 |
| L-2002 | C | Landscape Coloured Plan | 02.10.2023 |
| L-5000 | B | Indicative Plant Schedule & Images | 02.10.2023 |

Specialist Reports

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Document** | **Ref No.** | **Issue** | **Prepared By** | **Dated** |
| Statement of Environmental Effects | - | 01 | Mecone | 22 June 2023 |
| Waste Management Plan | Ref-23056 | - | Dickens Solutions | May 2023 |
| Transport and Accessibility Impact Assessment  | P1917r01v3 | 02 | Ason Group | 13 June 2023 |
| Stormwater Management Report | WPPS-CV-RP-001 | 02 | Stantec | 31 May 2023 |
| Letter from Stantec Regarding Stormwater Easement | - | - | Stantec | 27 September 2023 |
| Arborist Report | - |  C | Birds Tree Consultancy | 11 October 2023 |
| Social Impact Letter | - | - | Polygon Strategy | 6 June 2023 |
| Flood Emergency Plan | 301351069 | 01 | Stantec | 19 May 2023 |
| Remediation Action Plan – Stage 2 Development Works | AU123030 R01 Rev1 | 1 | Geosyntec Consultants | 30 May 2023 |
| Access Report | 23160-WPPS-BCA Access 02-220523 | 02 | Metro Building Consultancy | 22 May 2023 |
| Acoustic Report  | rp230427s0002 | 4 | NDY A Tetra Tech Company | 02.06.2023 |
| Acid Sulphate Soil Management Plan  | AU123030 | 2 | Geosyntec Consultants | 30 May 2023 |

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of consent, the condition prevails.

**Note:** An inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

**Reason:** To ensure all parties are aware of the approved plans and supporting documentation that applies to the development

1. Prior to commencement of any construction works associated with the approved development (including excavation if applicable), it is mandatory to obtain a Crown Certificate. Plans, specifications and relevant documentation accompanying the Crown Certificate must include any requirements imposed by conditions of this Development Consent.

**Reason:** To ensure compliance with legislative requirements.

1. The development must be constructed within the confines of the property boundary. No portion of the proposed structure, including footings/slabs, gates and doors during opening and closing operations must encroach upon Council’s footpath area or the boundaries of the adjacent properties.

**Reason:** To ensure no injury is caused to persons and the building is erected in accordance with the approval granted within the boundaries of the site.

1. Approval is granted for the demolition of the structures identified in the demolition plan, subject to compliance with the following: -
2. Demolition is to be carried out in accordance with the applicable provisions of Australian Standard AS2601-2001 - Demolition of Structures.

**Note:** Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.

1. The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.
2. 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to City of Parramatta for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to Council’s inspection and works must also not commence prior to the commencement date nominated in the written notice.
3. On the first day of demolition, work is not to commence until City of Parramatta has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover’s document “Your Guide to Working with Asbestos”, and demolition works must at all times comply with its requirements.
4. On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words “DANGER ASBESTOS REMOVAL IN PROGRESS” measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council’s officers The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 469 of the Work Health and Safety Regulation 2017.
5. Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under “Prior to Works Commencing” in this Consent.
6. All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
7. Prior to the commencement of any demolition works, and where the site ceases to be occupied during works, the property owner must notify Council to discontinue the domestic waste service and to collect any garbage and recycling bins from any dwelling/ building that is to be demolished. Waste service charges will continue to be charged where this is not done. Construction and/ or demolition workers are not permitted to use Council’s domestic waste service for the disposal of any waste.
8. Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover “Demolition Licence” and a current WorkCover “Class 2 (Restricted) Asbestos Licence”.
9. Demolition is to be completed within 5 days of commencement, allowing for reasonable extensions in the event of adverse weather conditions.
10. Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm and 8am to 5pm on Saturday. No demolition works are to be undertaken on Sundays or Public Holidays.
11. 1.8m high Protective fencing is to be installed to prevent public access to the site.
12. A pedestrian and Traffic Management Plan must be submitted to the satisfaction of Council prior to commencement of demolition and/or excavation. It must include details of the:
* Proposed ingress and egress of vehicles to and from the construction site;
* Proposed protection of pedestrians adjacent to the site;
* Proposed pedestrian management whilst vehicles are entering and leaving the site.
1. All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the NSW Environment Protection Authority (EPA).
2. Before demolition works begin, adequate toilet facilities are to be provided.
3. After completion, the applicant must notify City of Parramatta within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
4. Within 14 days of completion of demolition, the applicant must submit to Council:
5. An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
6. A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
7. Payment of fees in accordance with Council’s current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

**Reason:** To protect the amenity of the area.

1. Separate waste bins are to be provided on site for recyclable waste.

**Reason**: To provide for the appropriate collection/recycling of waste from the proposal whilst minimising the impact of the development upon adjoining residents.

1. Before the issue of a Crown Certificate, the applicant is to ensure that the person liable pays the Long Service Levy of 0.25% of the value of building and construction work where the cost of building is $250,000 or more (inclusive of GST) or as calculated at the date of this consent to the Long Service Corporation or Council under section 34 of the *Building and Construction Industry Long Service Payments Act 1986* and provides proof of this payment to the Certifier.

**Note:**       The Long Service Levy is to be paid directly to the **Long Service Corporation** at [www.longservice.nsw.gov.au](https://aus01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.longservice.nsw.gov.au%2F&data=04%7C01%7Csahmed%40cityofparramatta.nsw.gov.au%7C8143fe51fdd84157d31908d99a68e729%7Cb2543406494b4d5d8471d181aedf7037%7C0%7C0%7C637710597757923024%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0&sdata=ahBga0cSi1fNa6ZVUgZyX7YFmeU6dKF%2F6Pa%2FpTrDu5I%3D&reserved=0). For more information, please contact the Levy support team on 13 14 41.

**Reason:** To ensure that the Long Service Levy is paid.

1. Before the commencement of any works on the site or the issue of a crown certificate, the applicant must make all of the following payments to Council and provide written evidence of these payments to the certifier:

|  |  |
| --- | --- |
| **Bond Type** | **Amount** |
| **Nature Strip and Roadway:**  | **$25,750.00** |

The payments will be used for the cost of:

1. making good any damage caused to any council property (including street trees) as a consequence of carrying out the works to which the consent relates,
2. completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent, and
3. any inspection carried out by Council in connection with the completion of public work or the making good any damage to council property.

**Note:** The inspection fee includes Council’s fees and charges and includes the Public Road and Footpath Infrastructure Inspection Fee (under the Roads Act 1993). The amount payable must be in accordance with council’s fees and charges at the payment date.

**Reason:**   To ensure any damage to public infrastructure is rectified and public works can be completed.

**Note:** The bond may be paid, by EFTPOS, bank cheque, or be an unconditional bank guarantee.

Should a bank guarantee be lodged it must:

1. Have no expiry date;
2. Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/425/2023;
3. Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

Should it become necessary for Council to uplift the bank guarantee, notice in writing will be forwarded to the applicant fourteen days prior to such action being taken. No bank guarantee will be accepted that has been issued directly by the applicant.

A dilapidation report is required to be prepared and submitted electronically to the City of Parramatta Council (council@cityofparramatta.nsw.gov.au) prior to any work or demolition commencing and with the payment of the bond/s.

The dilapidation report is required to document/record any existing damage to kerbs, footpaths, roads, nature strips, street trees and furniture within street frontage/s bounding the site up to and including the centre of the road.

**Reason:**   To safe guard the public assets of council and to ensure that these assets are repaired/maintained in a timely manner so as not to cause any disruption or possible accidents to the public.

1. Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Department of Planning and Environment—Water, and obtained, for a controlled activity approval under the Water Management Act 2000.

**Reason:** To comply with the Department of Planning and Environment – Water requirements.

1. A sign displaying the contact details of the remediation shall be displayed on the site adjacent to the site access. This sign shall be displayed throughout the duration of the remediation works.

**Reason:** To provide contact details for council inspectors and for the public to report any incidents.

1. Following demolition activities, the soil must be tested by a person with suitable expertise, to ensure the soil contaminant levels are below acceptable health criteria for residential areas. The soil investigation shall be carried out in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites and the NSW Department of Environment and Conservation Guidelines for the Assessment and Management of Groundwater Contamination 2007.

A site audit statement shall be issued at the completion of the investigation by an approved NSW Environment Protection Authority Auditor in accordance with the NSW Environment Protection Authority’s Guidelines for the NSW Site Auditor Scheme.

 **Reason:** To ensure that the land is suitable for its proposed sensitive use and poses no risk to the environment and human health.

1. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the certifying authority immediately.

 **Reason:** To ensure that the land is suitable for its proposed use and poses no risk to the environment and human health.

1. At least one (1) week prior to demolition, the applicant must submit to the satisfaction of the Certifying Authority a hazardous materials survey of the site. Hazardous materials include (but are not limited to) asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint. The report must be prepared by a suitably qualified and experienced environmental scientist and must include at least the following information:

(a) The location of hazardous materials throughout the site;

(b) A description of the hazardous material;

(c) The form in which the hazardous material is found, eg AC sheeting, transformers, contaminated soil, roof dust;

(d) An estimation (where possible) of the quantity of each particular hazardous material by volume, number, surface area or weight;

(e) A brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials, and where appropriate, reference to relevant legislation, standards and guidelines;

(f) Identification of the disposal sites to which the hazardous materials will be taken.

**Reason**: To ensure risks associated with the demolition have been identified and addressed prior to demolition work commencing.

1. All works shall be carried out in accordance with the general terms of approval issued by Ausgrid (Reference: trim 2017/32/84, dated 15 August 2023) and clauses 4.14 and 4.15 of State Environmental Planning Policy (Resilience and Hazards) 2021.

**Reason:**   To comply with the statutory requirements of State Environmental Planning Policy (Resilience and Hazards) 2021.

1. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.

**Reason:** To comply with the statutory requirements of the Protection of the Environment Operations Act 1997.

1. Trees to be retained and protected are numbered 1, 21, 22, 23, 29, 31, 33, 34, 35, 37, 39, 41 and 50 as per the Arboricultural Impact Assessment Report by Birds Tree Consultancy rev C dated 11.10.2023 in addition - the 6 x street trees located adjacent to the development on Burroway Road, not currently assessed, which will also need to be retained and protected during the demolition and construction works.

**Reason:** To protect significant trees which contribute to the landscape character of the area.

**PART B – BEFORE THE ISSUE OF A CROWN CERTIFICATE**

(**Note:** Some conditions contained in other sections of this consent (including prior to occupation/use commencing) may need to be considered when preparing detailed drawings/specifications for the Crown Certificate.)

1. Before the issue of a crown certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:
2. location and materials for protective fencing and hoardings to the perimeter on the site
3. provisions for public safety
4. pedestrian and vehicular site access points and construction activity zones
5. details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
6. protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites and Council’s DCP, if applicable) and trees in adjoining public domain (if applicable)
7. details of any bulk earthworks to be carried out
8. location of site storage areas and sheds
9. equipment used to carry out all works
10. a garbage container with a tight-fitting lid
11. dust, noise and vibration control measures
12. location of temporary toilets.

The applicant must ensure a copy of the approved construction site management plan is kept on-site at all times during construction.

**Reason:** To require details of measures that will protect the public, and the surrounding environment, during site works and construction

1. Before the issue of a crown certificate, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA’s Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier:
2. Council’s Waste Management Development Control Plan

**OR**

Details the following:

1. the contact details of the person(s) removing the waste
2. an estimate of the waste (type and quantity) and whether the waste is expected to be reused, recycled or go to landfill
3. the address of the disposal location(s) where the waste is to be taken

The applicant must ensure the waste management plan is referred to in the construction site management plan and kept on-site at all times during construction.

**Reason:** To ensure resource recovery is promoted and local amenity protected during construction.

1. All roof water and surface water is to be connected to an operable drainage system. Details are to be shown on the plans and documentation accompanying the application for a Crown Certificate.

 **Reason:** To ensure satisfactory stormwater disposal.

1. If no retaining walls are marked on the approved plans no approval is granted as part of this approval for the construction of any retaining wall that is greater than 600mm in height or within 900mm of any property boundary.

The provision of retaining walls along common boundary lines shall not impact on neighbouring properties. If impact upon neighbouring properties (including fences) is anticipated, then written approval from the affected neighbour shall be obtained and submitted to the certifying authority prior commencement of the works.

Structural details, certified by a practicing structural engineer, shall accompany the application for a Crown Certificate for assessment and approval by the certifying authority.

 **Reason:**   To minimise impact on adjoining properties.

1. A building plan approval must be obtained from Sydney Water Tap in™ to ensure that the approved development will not impact Sydney Water infrastructure.

A copy of the building plan approval receipt from Sydney Water Tap in™ must be submitted to the Certifying Authority upon request prior to works commencing.

Please refer to the website <https://www.sydneywater.com.au/plumbing-building-developing/building/sydney-water-tap-in.html> , Sydney Water Tap in™, or telephone 13 20 92.

**Reason:** To ensure the requirements of Sydney Water have been complied with.

1. Prior to any excavation on or near the subject site the person/s having benefit of this consent are required to contact the NSW Dial Before You Dig Service (NDBYD) on 1100 to receive written confirmation from NDBYD that the proposed excavation will not conflict with any underground utility services. The person/s having the benefit of this consent are required to forward the written confirmation from NDBYD to their Certifying Authority prior to any excavation occurring.

**Reason:** To ensure Council’s assets are not damaged.

1. The building must be designed and certified by a registered structural engineer to ensure the building does not fail due to floodwater forces, debris and buoyancy effects from flooding in events up to the 1 in 100 year level plus 500mm freeboard.

**Reason:** To ensure the structure can withstand flooding impacts.

1. Water quality treatment measures must be installed to manage stormwater runoff from the proposed development in accordance with the Stormwater Management Report, Ref. No. WPPS-CV-RP-001, Revision 02, dated 31 May 2023, prepared by Stantec, and, Stormwater Drainage Plan, Project No. 301351069, Revision A, dated 19 May 2023, prepared by Stantec.

**Reason:** To ensure appropriate water quality treatment measures are in place.

1. For the Block D Water quality treatment measures and rainwater capture systems must be installed to manage stormwater runoff from the proposed development in accordance with the Stormwater Management Report, REV 02 by Stantec Australia 31 May 2023.

Details of the proposed devices and their location must accompany the application for a Crown Certificate to the satisfaction of the Certifying Authority.

**Reason:** To ensure appropriate water quality treatment measures are in place.

1. Where shoring will be located on or will support Council property, engineering details of the shoring are to be prepared by an appropriately qualified and practising structural engineer. These details are to include the proposed shoring devices, the extent of encroachment and the method of removal and de-stressing of the shoring elements. These details shall accompany the application for a Crown Certificate. A copy of this documentation must be provided to Council for record purposes. All recommendations made by the qualified practising structural engineer must be complied with.

 **Reason:** To ensure the protection of existing public infrastructure and adjoining properties.

1. Prior to the issue of a crown certificate the developer is to make a formal submission to the Sydney Olympic Park Authority (SOPA) for in principal support to construct a raised pedestrian crossing in Ferry Wharf Circuit, Wentworth Point. If a raised pedestrian crossing is not supported by SOPA, the applicant must discuss alternative treatments at this location such as kerb extensions and/or a pedestrian refuge island which is to be submitted to the satisfaction of Parramatta Councils Traffic and Transport department.

 **Reason:** To ensure appropriate pedestrian safety is achieved.

1. Detailed engineering design plans of the final agreed upon treatment in Ferry Wharf Circuit are to be submitted to the relevant authority for review and approval. The construction of the approved treatment is to be carried out by the developer at all costs associated. The supply and construction of the traffic facility and appropriate signage are to be paid for by the developer at no Cost to Council or SOPA.

 **Reason:** To ensure appropriate pedestrian safety is achieved.

1. The existing street lighting is required to comply with the relevant Australian Standards for the proposed traffic facility. Should the lighting need to be upgraded, the developer must liaise with the relevant utility authority directly and arrange for the works to take place at no cost to Council and SOPA.

 **Reason:** To ensure appropriate pedestrian safety is achieved.

1. Accessible car-parking spaces must be provided as part of the total car-parking requirements. These spaces and access to these spaces must comply with AS2890.6 - ‘Parking facilities’ - ‘Off-street parking for people with disabilities and AS1428.1 - ‘Design for access and mobility’ - General requirements for access - New building work’ 2001 and 2009 and AS1428.4 - ‘Design for access and mobility’ - ‘Tactile ground surface indicators for orientation of people with vision impairment’ - ‘Means to assist the orientation of people with vision impairment - Tactile ground surface indicators’ 1992 and 2009.

 Details are to accompany an application for a Crown Certificate to the satisfaction of the Certifying Authority.

 **Reason:** To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation.

1. Where work is likely to disturb or impact upon utility installations, (e.g. power pole, telecommunications infrastructure etc.) written confirmation from the affected utility provider that they raise no objections to the proposed works must accompany an application for a Crown Certificate to the satisfaction of the Certifying Authority.

 **Reason:** To ensure no unauthorised work to public utility installations and to minimise costs to Council.

1. Council property adjoining the construction site must be fully supported at all times during all demolition, excavation and construction works. Details of any required shoring, propping and anchoring devices adjoining Council property, are to be prepared by a qualified structural or geotechnical engineer. These details must accompany an application for a Crown Certificate and be to the satisfaction of the Certifying Authority. A copy of these details must be forwarded to Council prior to any work being commenced.

 Backfilling of excavations adjoining Council property or any void remaining at the completion of the construction between the building and Council property must be fully compacted prior to the completion of works.

 **Reason:** To protect Council’s infrastructure.

1. The proposed kerb inlet pit must be constructed in accordance with Council Standard Plan No. DS21. Details are to form part of the Crown Certificate documentation.

 **Reason:** To ensure appropriate drainage.

1. Prior to release of the Crown Certificate submission to and approval by the certifier of an updated Flood Emergency Response Plan prepared by a suitably qualified consultant that recognises increased sea and flood levels arising from climate change, reviews suitability of horizontal evacuation pathways and addresses the need for and provision of Shelter In Place flood refuge facilities for all occupants above the PMF level (including climate change).

 **Reason:** Flood Risk Management

1. Prior to the issue of the crown certificate a revised carpark design is to be provided to remove the two parking spaces from the central aisles.

Reason: Councils Traffic and Transport department have confirmed that the two additional parking spaces being provided in the central aisle will compromise the usability and safety of the two support learning drop off bays as it will not be wide enough for a vehicle to get through in one manoeuvre due to the lack of any safety buffer.

1. Prior to the issue of a crown certificate the certifier shall ensure that a comprehensive Green Travel Plan is provided which details strategies and initiatives aimed at promoting sustainable transportation methods, such as walking, cycling, public transit, and electric vehicles. This plan should outline measures to reduce carbon emissions, encourage carpooling, and enhance infrastructure for alternative transportation. The Green Travel Plan must  be submitted to Councils Traffic departments and supported prior to the commencement of the project.

Reason: As the proposed parking on site does not comply with the minimum parking requirements, a Green Travel Plan is required to ensure ongoing compliance to sustainable transportation practices.
2. The final Landscape Plan must be consistent with plans numbered A221033 L-2001, L-2002 rev C L3000 rev A and L-5000 rev B dated 02/10/2023, prepared by Group GSA together with any additional criteria required by the Development Consent to the satisfaction of the Certifying Authority addressing the following requirements:

Before the issue of the relevant Crown Certificate, the revised landscape plans are to be submitted to the written satisfaction of Council’s Manager Development and Traffic Services Unit.

1. Retention of the 6 x street trees along Burroway Road.
2. Delete the raised steel planters supporting the trees as this does not provide sufficient soil volume to support the mature growth of the proposed trees.
3. A minimum 35m3 soil volume (maximum 1m soil profile depth) must be provided for each tree and the soil extent indicated under the concrete paving on the plans. (The soil volume is to be contiguous under the concrete paving slab using a structural soil system to ensure there will be adequate soil volume provided)
4. Provide a specific tree pit planting section detail for the trees located within the concrete playground to ensure there is sufficient soil volume available.
5. The stormwater and civil engineering pits and pipe locations to be indicated on the plans for coordination.
6. Swale planting to be indicated within the bio-retention swale as per the Stormwater Management Plans.
7. A total of 40 trees are shown for removal to facilitate the development, with 21 of them located within the easement. To compensate for this loss, the proposal includes planting 21 replacement trees. The planting of these replacement trees must align with the approved landscaping plans to ensure a one-to-one replacement for the trees removed within the easement. Therefore, the following must be provided:
* Tree replenishment is to be provided in a minimum 75 litre container, must be able to reach a minimum mature height of thirteen (13) metres, and planted with a minimum setback of 3m to the outside wall or edge of a legally constructed building or the proposed development and a minimum 2m distance from any proposed or existing drainage line and a minimum 1m from any boundary.
1. A planting plan is to be submitted to Parramatta Council’s landscape department for assessment.
2. An updated plant schedule to include the above requirements. It must include the final quantities of the trees, shrubs, groundcovers and bio-swale planting including the botanical and common names, size of the containers at planting and mature height and canopy spread.
3. All landscape plans are to be prepared by a professionally qualified Landscape Architect.

**Reason:** To ensure restoration of environmental amenity.

1. A Tree Protection Management Plan (TPMP), prepared by a suitably qualified Consulting Arborist (Australian Qualification Framework Level 5), must accompany the application for a Crown Certificate. This TPMP is to identify specific tree protection measures to be implemented for the trees located within the site and adjacent to the site during demolition and construction and the expected future health of the trees. The TPMP must discuss the specific non-destructive construction method to minimise the impact and encroachment and discuss the specific protection measures required throughout the demolition and construction works. It should cover all stages of the works and cover any works to be supervised by the Project Arborist including:
2. A Tree Protection Plan must follow the tree numbers already identified in the existing Arboricultural Impact Assessment;
3. Include the street trees along Burroway Road not included in the AIA;
4. The TPMP must identify the specific tree protection type and location required for each tree inclusive of canopy, trunk and tree root protection in accordance with AS 4970-2009 - *Protection of Trees on Development Sites*;
5. Discuss supervision of any approved excavation to be undertaken within the calculated Tree Protection Zones of the trees to be retained and protected
6. Provide guidance on the approved services to be installed within the TPZ of trees, to ensure non-destructive construction techniques are used to minimise the construction impact (i.e. bridging of roots);
7. Construction of any structure which requires a modified footing;
8. Landscaping (i.e. minimise cultivation, excavation planting techniques within the TPZ & SRZ);
9. Any other stages that the Project Arborist deems necessary;

 **Reason:** To ensure adequate protection of existing trees.

1. All landscape works shall be maintained for a minimum period of one (1) year following the issue of a Final Completion Certificate, in accordance with the approved landscape plan and conditions.

**Reason:** To ensure restoration of environmental amenity.

**PART C – BEFORE THE COMMENCEMENT OF BUILDING WORK**

1. Prior to commencement of work, the person having the benefit of the Development Consent and Crown Certificate approval must:
2. Appoint a certifier and notify Council in writing of the appointment (irrespective of whether Council or an accredited private certifier) within 7 days; and
3. Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.

The Certifying Authority must determine and advise the person having the benefit of the Crown Certificate when inspections, certification and compliance certificates are required.

**Reason:** To comply with legislative requirements.

1. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 70 of the Environmental Planning and Assessment Regulations 2021 detailing:
2. Unauthorised entry of the work site is prohibited;
3. The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
4. The name, address and telephone number of the Certifying Authority;
5. The development consent approved construction hours;
6. The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.
7. This condition does not apply where works are being carried out inside an existing building.

**Reason:**   Statutory requirement.

1. Public risk insurance in the amount of not less than $20 million or such other amount as Council may require by notice) must be obtained and furnished to Council before any works authorised by this consent are conducted:
2. Above;
3. Below; or
4. On

Any public land owned or controlled by Council. The public risk insurance must be maintained for the period during which these works are being undertaken.

The public risk insurance must be satisfactory to Council and list Council as an insured and/or interested party.

A copy of the insurance policy obtained must be forwarded to Council before any of the works commence.

**Note:** Applications for hoarding permits, vehicular crossing etc. will require evidence of insurance upon lodgement of the application.

**Reason:** To ensure the community is protected from the cost of any claim for damages arising from works authorised by this consent conducted above, below or on any public land owned or controlled by Council.

1. Prior to work commencing, adequate toilet facilities are to be provided on the work site.

**Reason:** To ensure adequate toilet facilities are provided.

1. The site must be enclosed by a 1.8m high security fence erected wholly within the confines of the site to prevent unauthorised access. The fence must be installed to the satisfaction of the Certifying Authority prior to the commencement of any work on site.

 **Reason:** To ensure public safety.

1. Prior to the commencement of any works on site, the applicant must submit a Construction and Traffic Management Plan to the satisfaction of the Certifying Authority. The following matters must be specifically addressed in the Plan:
2. Construction Management Plan for the Site. A plan view of the entire site and frontage roadways indicating:
3. Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
4. Turning areas within the site for construction and spoil removal vehicles, allowing a forward entry and egress for all construction vehicles on the site,
5. The locations of proposed Work Zones in the egress frontage roadways,
6. Location of any proposed crane standing areas,
7. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
8. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
9. The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
10. A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors.
11. A detailed description of locations that will be used for layover for trucks waiting to access the construction site.
12. Written concurrence from Council’s Traffic and Transport Services in relation to installation of a proposed ‘Works Zone’ restriction in the egress frontage roadways of the development site.

Application fees and kerbside charges for 6 months (minimum) are to be paid in advance in accordance with the Council’s Fees and Charges. The ‘Works Zone’ restriction is to be installed by Council once the applicant notifies Council in writing of the commencement date (subject to approval through Parramatta Traffic Committee processes). Unused fees for kerbside charges are to be refunded once a written request to remove the restriction is received by Council.

1. Traffic Control Plan(s) for the site:
2. All traffic control devices installed in the road reserve shall be in accordance with the Transport for NSW (TfNSW) publication ‘Traffic Control Worksite Manual’ and be designed by a person licensed to do so (minimum TfNSW ‘red card’ qualification) The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each,
3. Approval shall be obtained from City of Parramatta Council for any temporary road closures or crane use from public property.
4. Where applicable, the plan must address the following:
5. Evidence of Transport for NSW (TfNSW) concurrence where construction access is provided directly or within 20 m of an Arterial Road,
6. A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.
7. Minimising construction related traffic movements during school peak periods.

The Construction and Traffic Management Plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition.

**Reason:** To ensure that appropriate measures have been considered during all phases of the construction process in a manner that maintains the environmental amenity and ensures the ongoing safety and protection of people.

1. The applicant must apply for a road-opening permit where a new pipeline is proposed to be constructed within or across Council owned land. Additional road opening permits and fees may be necessary where connections to public utilities are required (e.g. telephone, electricity, sewer, water or gas).

In addition, no drainage work can be carried out within the Council owned land without this permit being issued. A copy is required to be kept on site.

**Reason:** To protect Council’s assets throughout the development process.

1. Details of any proposed reinforced concrete pipe-work within public land and Burroway Road shall be submitted for Council’s City Works Unit approval prior to commencement of any work.

**Reason:** To ensure adequate stormwater infrastructure is provided.

1. Erosion and sediment control measures are to be installed in accordance with the publication ‘Urban Stormwater: Soils and Construction “The Blue Book” 2004 (4th edition) prior to the commencement of any demolition, excavation or construction works upon the site. These measures are to be maintained throughout the entire works.

**Reason:** To ensure soil and water management controls are in place before site works commence

1. Prior to commencement of works and during construction works, the development site and any road verge immediately in front of the site must be maintained in a safe and tidy manner. In this regard the following must be undertaken:
2. all existing buildings are to be secured and maintained to prevent unauthorised access and vandalism
3. all site boundaries are to be secured and maintained to prevent unauthorised access to the site;
4. all general refuge and/or litter (inclusive of any uncollected mail/advertising material) is to be removed from the site on a fortnightly basis;
5. the site is to be maintained clear of weeds; and
6. all grassed areas are to be mowed on a monthly basis.

**Reason:** To ensure public safety and maintenance of the amenity of the surrounding environment.

1. If development involves excavation that extends below the level of the base, of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the persons own expense:
2. Protect and support the adjoining premises from possible damage from the excavation
3. Where necessary, underpin the adjoining premises to prevent any such damage.

**Note:** If the person with the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to the condition not applying, this condition does not apply.

**Reason:** As prescribed under the Environmental Planning and Assessment Regulation 2000.

1. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely within the property boundaries. The applicant, owner or builder must apply for specific permits if the following activities are required seeking approval pursuant to Section 138 of the Roads Act 1993:
2. On-street mobile plant:

 E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation and the area where the operation will occur, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant’s, owner’s and builder’s responsibilities to take whatever steps are necessary to ensure the use of any equipment does not violate adjoining property owner’s rights.

1. Storage of building materials and building waste containers (skips) on Council’s property.
2. Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location they are to be stored. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded. Storage of building materials and waste containers within Council’s open space areas, reserves and parks is prohibited.
3. Kerbside restrictions - construction zones:

The applicant’s attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a work zones, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council’s Traffic Committee. An earlier application is suggested to avoid delays in construction programs..

The application is to be lodged with Council’s Customer Service Centre.

**Reason:** Proper management of public land.

1. All works associated with the construction and/or extension of a driveway crossover/layback within Council owned land requires an application to be lodged and approved by Council.

All footpath crossings, laybacks and driveways are to be constructed according to Council’s Specification for Construction or Reconstruction of Standard Footpath Crossings and in compliance with Standard Drawings DS1 (Kerbs & Laybacks); DS7 (Standard Passenger Car Clearance Profile); DS8 (Standard Vehicular Crossing); DS9 (Heavy Duty Vehicular Crossing) and DS10 (Vehicular Crossing Profiles).

The application for a driveway crossing requires the completion of the relevant application form and accompanied by plans, grades/levels and specifications. A fee in accordance with Councils adopted ‘Fees and Charges’ will need to be paid at the time of lodgement.

**Note 1:** This development consent is for works wholly within the property. Development consent does not imply approval of the footpath or driveway levels, materials or location within the road reserve, regardless of whether the information is shown on the development application plans.

**Note 2:** Council’s Customer Service Team can advise of the current fee and can be contacted on 9806 5524

**Reason:** To provide suitable vehicular access without disruption to pedestrian and vehicular traffic.

1. Tree protection measures are to be installed as per the Tree Protection Management Plan prior to works commencing on site and are to be maintained throughout the demolition and construction works, under the supervision of an Australian Qualifications Framework (AQF) Level 5 Consulting Arborist in accordance with AS4970:2009 - “Protection of Trees on Development Sites”. Written confirmation by the Project Arborist to be forwarded to the Certifying Authority to state tree protection measures were retained and in place, in accordance with the Conditions of Consent (unless prior approval from the Project Arborist was provided).

 **Reason:** To ensure trees are adequately protected throughout the construction phase.

1. Prior to commencement of works and during construction works, the development site and any road verge immediately in front of the site must be maintained in a safe and tidy manner. In this regard the following must be undertaken:
2. all existing buildings are to be secured and maintained to prevent unauthorised access and vandalism
3. all site boundaries are to be secured and maintained to prevent unauthorised access to the site;
4. all general refuge and/or litter (inclusive of any uncollected mail/advertising material) is to be removed from the site on a fortnightly basis;
5. the site is to be maintained clear of weeds; and
6. all grassed areas are to be mowed on a monthly basis.

**Reason:** To ensure public safety and maintenance of the amenity of the surrounding environment.

1. The preparation of an appropriate hazard management strategy by an appropriately licensed asbestos consultant pertaining to the removal of contaminated soil, encapsulation or enclosure of any asbestos material is required. This strategy shall ensure that any such proposed demolition works involving asbestos are carried out in accordance with the requirements of the ‘Code of Practice: How to Safely Remove Asbestos’ published by WorkCover NSW. The strategy shall be submitted to the Certifying Authority, prior to the commencement of any works. The report shall confirm that the asbestos material has been removed or is appropriately encapsulated and that the site is rendered suitable for the development.

**Reason:** To ensure risks associated with the demolition have been identified and addressed prior to demolition work commencing.

1. Prior to commencement of works the recommendations in the Remedial Action Plan (RAP) prepared by Geosyntec, file reference AU123030 R01, Rev 1 dated 30 May 2023 must be adhered with.

**Reason:** To ensure that the land is suitable for its proposed use and poses no risk to the environment and human health.

**PART D – WHILE BUILDING WORK IS BEING CARRED OUT**

1. A copy of this development consent together with the stamped plans, referenced documents and associated specifications is to be held on-site during the course of any works to be referred to by all contractors to ensure compliance with the approval and the associated conditions of consent.

**Reason:** To ensure compliance with this consent.

1. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction to minimise the dust nuisance on surrounding properties. In this regard, dust minimisation practices must be carried out in accordance with Section 126 of the Protection of the Environment Operations Act 1997.

**Reason:** To protect the amenity of the area.

1. No building materials skip bins, concrete pumps, cranes, machinery, temporary traffic control, signs or vehicles associated with the construction, excavation or demolition shall be stored or placed on/in Council's footpath, nature strip, roadway, park or reserve without the prior approval being issued by Council under section 138 of the Roads Act 1993.

**Reason:** To ensure pedestrian access.

1. The certifier must ensure that building work, demolition or vegetation removal is only carried out between:
* **7am to 5pm on Monday to Friday**
* **8am to 5pm on Saturday**

The certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

**Note:** Any variation to the hours of work requires Council’s approval.

Council may permit an extension to the approved hours of work in extenuating or unforeseen circumstances subject to an application and approval by City of Parramatta Council (CoPC) in accordance with the ‘After Hours Works for Approved Development Applications Policy’ (Policy).

A copy of this Policy and associated application form is available on the CoPC website. A fee will apply to any application made in accordance with this Policy.

The matters of consideration of any extension sought would include, but not be limited to the following aspects and should be detailed in any application made:

* Nature of work to be conducted;
* Reason for after-hours completion;
* Residual effect of work (noise, traffic, parking);
* Demographic of area (residential, industrial);
* Compliance history of subject premises;
* Current hours of operation;
* Mitigating o extenuating circumstance; and
* Impact of works not being completed.

**Reason:** To protect the amenity of the surrounding area.

1. The applicant must record details of all complaints received during the construction period in an up to date complaints register. The register must record, but not necessarily be limited to:
2. The date and time of the complaint;
3. The means by which the complaint was made;
4. Any personal details of the complainants that were provided, or if no details were provided, a note to that affect;
5. Nature of the complaints;
6. Any action(s) taken by the applicant in relation to the complaint, including any follow up contact with the complaint; and
7. If no action was taken by the applicant in relation to the complaint, the reason(s) why no action was taken.

The complaints register must be made available to Council and/or the Certifying Authority upon request.

**Reason:** To allow the Certifying Authority/Council to respond to concerns raised by the public.

1. While building work is being carried out, and where a noise and vibration management plan is approved under this consent, the applicant must ensure that any noise generated from the site is controlled in accordance with the requirements of that plan.

 OR

 While building work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out.

 **Reason:** To protect the amenity of the neighbourhood.

1. While building work is being carried out, a registered surveyor is to measure and mark the positions of the following and provide them to the certifier: -
2. All footings/ foundations
3. At other stages of construction – any marks that are required by the certifier

**Reason:** To ensure buildings are sited and positioned in the approved location.

1. All building work must be carried out in accordance with the current provisions of the Building Code of Australia (National Construction Code).

**Reason:** To comply with the Environmental Planning & Assessment Act 1979, as amended and the Environmental Planning & Assessment Regulation 2000.

1. While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

* “relic” means any deposit, artefact, object or material evidence that:-
1. relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
2. is of State or local heritage significance; and
* “Aboriginal object” means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.

**Reason:** To ensure the protection of objects of potential significance during works.

1. Any damage to Council assets that impacts on public safety during construction is to be rectified immediately to the satisfaction of Council with all costs to be borne by the person having the benefit of the Development Consent.

**Reason:** To protect public safety.

1. During works the recommendations in the Remedial Action Plan (RAP) prepared by Geosyntec, file reference AU123030 R01, Rev 1 dated 30 May 2023 must be adhered with.

**Reason:** To ensure that the land is suitable for its proposed use and poses no risk to the environment and human health.

1. Any fill material imported to the site is to be virgin excavated natural material (VENM) and is to be certified as such by a suitably qualified industry professional. Records of each individual certification are to be kept on site and produced for inspection when requested.

**Reason:** To ensure the site does not become contaminated and appropriate compaction levels can be achieved.

1. All friable and non-friable asbestos-containing waste material on-site shall be handled and disposed off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2014 and the NSW Environment Protection Authority (EPA) Waste Classification Guidelines and any other regulatory instrument as amended.

**Reason:** To ensure appropriate disposal of asbestos materials.

1. Liquid and solid wastes generated onsite shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2014 and in accordance with DECC the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999) and NSW EPA Waste Classification Guidelines.

**Reason:** To prevent pollution of the environment.

1. All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.

**Reason:** To ensure provision of adequate waste disposal arrangements.

1. Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitting lids so the contents are not able to leak or overflow. Bins must be stored in the designated waste/recycling storage room(s) or area(s) between collection periods.

**Reason:** To ensure waste is adequately stored within the premises.

1. Where demolition of asbestos containing materials is undertaken, the contractor must submit to the Certifying Authority, copies of all receipts issued by the EPA licensed waste facility for friable or non-friable asbestos waste as evidence of proof of proper disposal within 7 days of the issue of the receipts.

**Reason:** To ensure appropriate disposal of asbestos materials.

1. A Waste Data file is to be maintained, recording building/demolition contractor’s details and waste disposal receipts/dockets for any demolition or construction wastes from the site. These records must be retained and made available to Council on request.

**Reason**: To confirm waste minimisation objectives under Parramatta Development Control Plan 2011 are met.

1. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.

**Reason:** To comply with the statutory requirements of the Protection of the Environment Operations Act 1997.

1. Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of Safework NSW and the EPA, and with the provisions of:
2. Work Health and Safety Act 2011;
3. NSW Protection of the Environment Operations Act 1997 (NSW); and
4. NSW Department of Environment and Climate Change Environmental Guidelines; NSW EPA Waste Classification Guidelines.

 **Reason:** To ensure that the land is suitable for the proposed development and any contaminating material required to be removed from the property is removed in accordance with the prescribed manner.

1. Site water discharged must not exceed suspended solid concentrations of 50 parts per million, and must be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant Environmental Protection Authority (EPA) and ANZ Guidelines for Fresh and Marine Water Quality. Other options for the disposal of excavation pump-out water include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

**Reason:** To prevent pollution of waterways.

1. Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the Interim Australian Standard DR AS/NZS 4282:2018 The Control of the Obtrusive Effects of Outdoor Lighting.

**Reason:** To protect the amenity of the surrounding neighbourhood from the emission of light.

1. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction to minimise the dust nuisance on surrounding properties. In this regard, dust minimisation practices must be carried out in accordance with Council’s Guidelines for Controlling Dust from Construction Sites and Section 126 of the Protection of the Environment Operations Act 1997.

**Reason:** To protect the amenity of the area.

1. Stockpiles of topsoil, sand, aggregate, soil or other material are not to be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

**Reason**: To ensure that building materials are not washed into stormwater drains.

1. Stormwater from all new impervious areas, and subsoil drainage systems, must be piped to the existing site drainage system. The installation of new drainage components must be completed by a licensed contractor in accordance with AS3500.3 (2003) - Stormwater Drainage, the Building Code of Australia (National Construction Code) and the Stormwater Management Report, Ref. No. WPPS-CV-RP-001, Revision 02, dated 31 May 2023, prepared by Stantec, and, Stormwater Drainage Plan, Project No. 301351069, Revision A, dated 19 May 2023, prepared by Stantec.

 **Reason:** To ensure satisfactory stormwater disposal.

1. Works are not to result in sedimentation and or run-off from the approved works onto the adjoining properties and or public lands. The person having the benefit of this consent must ensure sediment is not tracked out from the development site.

 **Reason:** To ensure no adverse impacts on neighbouring properties.

1. During construction of all public area civil and drainage works a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council’s “Guidelines for Public Domain Works”. Certification is required to be provided with the Completion Certificate.

 **Reason:** To ensure Council’s assets are appropriately constructed.

1. During construction the certifier must ensure that the access report prepared by Metro Building Consultancy, record number D09063307, dated 22nd May 2023) has been adhered with including:
2. Clearly identify intuitive pedestrian accessible paths of travel connecting the proposed block, playing field, surrounding areas and accessible parking provisions.
3. The accessible sanitary facilities shown all have right hand transfers onto the pan a mixture of transfer options should be provided following BCA F4 *“where two or more of each type of accessible unisex sanitary facility are provided, the number of left and right handed mirror image facilities must be provided as evenly as possible”*
4. Low level thresholds should be provided at all doors accessing open spaces, corridors and outdoor areas thus enabling compliant access asper AS1428.1.7.
5. The Abutment of differing surfaces shall have a smooth transition. Design transition shall be 0 mm. *Construction tolerances shall be as follows:*
	* 1. *0 ±3 mm vertical.*
		2. *0 ±5 mm, provided the edges have a bevelled or rounded edge to reduce the likelihood of tripping. AS1428.1.7.2.*
6. Equipment and furniture within the communal areas and classrooms will require accessible and inclusive features suitable for a person with a mobility and other impairments.

Note: AS1428.2 provides guidance on accessible furniture including, reach ranges and varying heights of tables and seats with back and arm rests etc.

**Reason:** To ensure BCA access requirements are adhered with.

1. No trees on public property (footpaths, roads, reserves, etc.) are permitted to be removed, pruned or damaged during construction including the installation of fences, hoardings or other temporary works, unless approved in this consent.

 **Reason:** Protection of existing environmental infrastructure and community assets.

1. No materials (including waste and soil), equipment or goods of any type are to be stored, kept or placed within 5m of the trunk of a tree or within the Tree Protection Zone (TPZ) of any tree whichever is greater. All activities involving soil level changes, excavation, all types of cleaning, and refuelling are prohibited within the TPZ.

 **Reason:** To ensure the protection of the tree(s) to be retained on the site.

1. All approved excavation within 5m of trees numbered 29, 31, 33, 34, 35, 37, 39, 41, 50 (the trees located within the easement) as per the Arboricultural Impact Assessment Report by Birds Tree Consultancy rev C dated 11th October 2023, is to be supervised by an Australian Qualifications Framework (AQF) Level 5 Consulting Arborist.

All works within this zone is to be carried out using non-destructive construction method such as hydrovac (on the lowest setting) or careful hand-dig to retain all roots >30mm in diameter.

Once the work is completed a written summary detailing the works undertaken is to be forwarded to the Certifying Authority and to state if works were carried out in accordance with the Conditions of Consent and AS4970 Protection of Trees on the Development sites.

 **Reason:** To provided adequate protection of trees.

1. All trees planted as required by the approved landscape plan are to be a minimum 75 litre container size. All shrubs planted as part of the approved landscape plan are to have a minimum 200mm container size.

 **Reason:** To ensure appropriate landscaping.

1. The following trees are approved to be removed to facilitate the development: Trees numbered 2 to 20, 24 to 28, 30, 32, 36, 38, 40, 42 to 49, 51 to 53 as per the AIA by Birds Tree Consultancy rev C dated 11.10.2023.

 **Reason:** To facilitate development.

1. All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist and undertaken in accordance with the Code of Practice for Amenity Tree Industry 1998.

 **Reason:** To ensure tree works are carried out safely.

**PART E – BEFORE THE ISSUE OF AN COMPLETION CERTIFICATE**

1. In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Certifying Authority responsible for the critical stage inspections must make a record of each inspection as soon as practicable after it has been carried out. The record must include:
2. The development application and Crown Certificate number as registered;
3. The address of the property at which the inspection was carried out;
4. The type of inspection;
5. The date on which it was carried out;
6. The name and accreditation number of the certifying authority by whom the inspection was carried out; and
7. Whether or not the inspection was satisfactory in the opinion of the certifying authority who carried it out.

**Reason:** To comply with statutory requirements.

1. Works-As-Executed stormwater plans are to address the following:
2. A WAE survey shall be conducted and plans prepared showing the ‘as built’ of the complete stormwater drainage and water quality treatment system up to the point of connection into the existing drainage system.
3. The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Crown Certificate with the variations marked in red ink.
4. The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
5. Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer. The certificate must only be provided after conducting a satisfactory final inspection of the completed system.

The above is to be submitted to the Certifying Authority prior to the issue of an Completion Certificate and a copy is to accompany the Completion Certificate when lodged with Council.

**Reason:** To ensure works comply with approved plans.

1. Street lighting is required to comply with the relevant Australian Standards.

**Reason:** To ensure appropriate pedestrian safety is achieved.

1. Prior to the issue of an Completion Certificate a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919 must be created, burdening the owner with the requirement to maintain the water sensitive urban design (WSUD) facilities on the lot.

The terms of the 88E Instruments are to be generally in accordance with Council's “standard terms” available in Council’s website, under Development Forms.

Council’s standard application form shall be lodged, accompanied by the required documents and plans, only after the completion, final inspection and certification of the water sensitive urban design (WSUD) system.

The Positive Covenant and Restriction on the Use of Land is to be created through an application to NSW Land Registry Services using forms 13PC and 13RPA.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Certifying Authority prior to Occupation of the site.

 **Reason:**   To ensure maintenance of on-site WSUD facilities.

1. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained prior to the issue of any Completion Certificate. The application must be made through an authorised Water Servicing Coordinator. Please refer to “Your Business” section of Sydney Water’s web site at www.sydneywater.com.au then the “e-developer” icon or telephone 13 20 92.

 **Reason:** To ensure the requirements of Sydney Water have been complied with.

1. Occupation or use of the building or part is not permitted until an Completion Certificate has been issued in accordance with Section 6.9 of the Environmental Planning and Assessment Act 1979.

 **Reason:** To comply with legislative requirements of the Environmental Planning and Assessment Act 1979.

1. An evacuation report and procedure shall be prepared by an appropriate consulting engineer for both horizontal and vertical evacuation. This report is to demonstrate how the occupants of the development will egress the site in the early stages of a storm event, together with how they will seek refuge in a peak stormwater event (i.e. first floor of the building etc.). The report shall be submitted to the Certifying Authority prior to the issue of the Crown Certificate. A copy of the report shall be attached to the Completion Certificate when forwarded to Council.

 **Reason:** To make property owners/residents aware of the procedure in the case of flood.

1. All redundant lay-backs and vehicular crossings must be reinstated to conventional kerb and gutter, foot-paving or grassed verge in accordance with Council’s Standard Plan No. DS1. The reinstatement must be completed prior to the issue of an Completion Certificate. All costs must be borne by the applicant.

 **Reason:** To provide satisfactory drainage.

1. A qualified Landscape Architect/Designer must certify that the completed works are in accordance with the approved landscape plan. All landscape works must be completed prior to the issue of an Completion Certificate.

 **Reason:** To ensure restoration of environmental amenity.

**PART F – OCCUPATION AND ONGOING USE**

1. Any external plant/air-conditioning system must not exceed a noise level of 5dBA above the background noise level when measured at the boundaries of the property.

**Reason:** To minimise noise impact of mechanical equipment.

1. With the exception of with exception to Parent / Teacher evenings, Information Nights, Orientation nights, the hours of operations are restricted to:

|  |  |
| --- | --- |
| **Day** | **Time** |
| Monday | 6:00am to 7:00pm |
| Tuesday | 6:00am to 7:00pm |
| Wednesday | 6:00am to 7:00pm |
| Thursday | 6:00am to 7:00pm |
| Friday | 6:00am to 7:00pm |
| Saturday | 6:00am to 7:00pm |
| Sunday | Closed |
| Public Holidays  | Closed |

**Reason:** To minimise the impact on the amenity of the area.

1. The owner/manager of the site/business is responsible for the removal of all graffiti from the building/structures/signage and/or fencing within 48 hours of its application.

**Reason:** To ensure the removal of graffiti.

1. When Council receives an Completion certificate from the certifier, the applicant may lodge an application to release the securities held in accordance with City of Parramatta Schedule of Fees and Charges 2022/2023.

Council may use part, or all of the securities held to complete the works to its satisfaction if the works do not meet Council’s requirements.

**Note:** A written application to Council’s Civil Assets Team is required for the release of a bond and must quote the following:

* 1. Council's Development Application number; and
	2. Site address.

 **Note:** Council's Civil Assets Team will take up to 21 days from receipt of the request to provide the written advice.

**Reason:** To allow release of securities and authorise Council to use the security deposit to complete works to its satisfaction.

1. The use of the premises not giving rise to:
2. transmission of unacceptable vibration to any place of different occupancy,
3. a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background noise level by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW Environmental Planning & Assessment Act 1979: Environmental Noise Control Manual, Industrial Noise Policy 2000 and the Protection of the Environment Operations Act 1997.

**Reason:** To prevent loss of amenity to the area.

1. Noise and vibration from the use and operation of any plant and equipment and/or building services associated with the premises shall not give rise to "offensive noise' as defined by the Protection of the Environment Operations Act 1997.

**Reason:** To reduce noise levels.

1. The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.

**Reason:** To protect the amenity of the area.

1. The execution of open space management recommendations from the Social Impact Assessment letter dated 6 June 2023, prepared by Polygon Strategy, is required to be met. This encompasses the adherence to utilizing Block A's hall as an indoor play space for students during breaks. Furthermore, the implementation of staggered timetabling is encouraged, with flexibility granted based on staffing numbers and weather conditions, ensuring practical and effective execution.

**Reason**: To ensure the school children have enough adequate open space areas.

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| **Date:** | **07 February 2024** |
| **Responsible Officer:** | **Jasmin Gotsoulias** |
| **Position:** | **Senior Development Assessment Officer** |